

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOHN M. SOLBERG,

Petitioner,

v.

Case No. 23-C-570

UNITED STATES OF AMERICA,

Respondent.

ORDER

Petitioner John Solberg filed a motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 on May 4, 2023. On May 9, 2023, the court screened the petition, concluded that it would not consider the petition while Solberg's appeal before the Seventh Circuit was pending, and denied the motion to vacate, set aside, or correct sentence as premature. Solberg filed a notice of appeal on June 29, 2023. Solberg also filed a motion to correct the statement appearing in the court's screening order that "Solberg entered a guilty plea to fifteen counts of wire fraud." Dkt. No. 7 at 1. On June 20, 2023, the court recognized its error and corrected the screening order to state that Solberg entered a guilty plea to one count of mail fraud. Therefore, Solberg's motion to correct is denied as moot. In addition, Solberg has filed motions to suppress, a motion for evidentiary hearing, and a request for a *Franks* hearing to be held in his criminal case, Case No. 19-CR-213 (E.D. Wis.). This case is closed, and the court cannot grant the relief Solberg seeks in his motions. Accordingly, Solberg's motions are denied.

IT IS THEREFORE ORDERED that Solberg's motion to correct (Dkt. No. 7) is **DENIED as moot**. The Clerk is directed to send Solberg a copy of the court's May 9, 2023 screening order.

IT IS FURTHER ORDERED that Solberg's motions to suppress, motion for evidentiary hearing, and request for a *Franks* hearing (Dkt. No. 8) are **DENIED**.

Dated at Green Bay, Wisconsin this 10th day of July, 2023.

s/ William C. Griesbach

William C. Griesbach
United States District Judge